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PTO/SB/66 (03-09)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378 (c))**Docket Number (Optional)  
007226.00003

Mail to: Mail Stop Petition  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
 Fax: (571) 273-8300

01/25/2012 DALLEN 80000004 198733 6404779

01 FC:1599 3065.00 DA

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent No. 6404779Application Number 09120448Issue Date 06/11/2002Filing Date 07/22/1998

**CAUTION:** Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

**Also complete the following information, if applicable**

The above - identified patent

<input type="checkbox"/>	Is a reissue of original Patent No. _____	original issue date _____
	original application number _____	
	original filing date _____	
<input type="checkbox"/>	resulted from the entry into the U.S. under 35 U.S.C. 371 of international application _____	
	filed on _____	

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**CERTIFICATE OF MAILING (37 CFR 1.89(a))**

I hereby certify that this paper (\*along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

1/23/2012/Ernest V. Linek/

Date

Signature

Ernest V. Linek - Reg. No. 29822

Typed or Printed Name of Person Signing Certificate

[page 1 of 3]

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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## 1. SMALL ENTITY

 Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

## 2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

 Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

## 3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/>	\$ _____ 3 1/2 yr fee	(1551)	<input type="checkbox"/>	\$ _____ 3 1/2 yr fee	(2551)
<input type="checkbox"/>	\$ _____ 7 1/2 yr fee	(1552)	<input checked="" type="checkbox"/>	\$ 1425.00 7 1/2 yr fee	(2552)
<input type="checkbox"/>	\$ _____ 11 1/2 yr fee	(1553)	<input type="checkbox"/>	\$ _____ 11 1/2 yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 1425.00

## 4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(2) of \$ 1640.00 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of a maintenance fee.SURCHARGE FEE BEING SUBMITTED \$ 1640.00

## 5. MANNER OF PAYMENT

 Enclosed is a check for the sum of \$ \_\_\_\_\_ Please charge Deposit Account No. 19-0733 the sum of \$ 3065.00 Payment by credit card. Form PTO-2038 is attached.

## 6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

 The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. 19-0733

BY:

/Ernest V. Linek/

Ernest V. Linek - Reg. No. 29822

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## 7. OVERPAYMENT

As to any overpayment made please

OR

 Credit to Deposit Account No. 19-0733 Send refund check

## WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identify theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application or issuance of a patent). Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

## 8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional.

## 9. PETITIONER'S REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT RESTATED

xRoy L. Salomons  
Signature(s) of Petitioner(s)x1/23/2012  
Date

Roy L. Salomons

(718) 977-8273 or 917-488-8380  
Typed or printed name(s)

N/A

(718) 977-8273 or 917-488-8380  
Telephone NumberRegistration Number, if applicable

63-95 Austin Street, Apt. 4J

Address

Forest Hills, New York 11374

Address

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

## ENCLOSURES

- Maintenance Fee Payment
- Surcharge under 37 CFR 1.20(i)(2) (fee for filing the maintenance fee petition)
- Fee Address Form; Statement Under 37 CFR 3.73(b)

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PTO/SB/06 (07-09)

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: **Bandwidth Technology Corp.**Application No./Patent No.: **10022333 / 7046695**Filed/Issue Date: **12-20-2001 / 05-16-2006**Titled: **System and Method for Communicating Digital Information Using Time-And-Frequency-Bounded Base Functions**Bandwidth Technology Corp. a **corporation**

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest in;
  - an assignee of less than the entire right, title, and interest in  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %); or
  - the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made) the patent application/patent identified above, by virtue of either:
- A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy therefore is attached.

OR

- B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

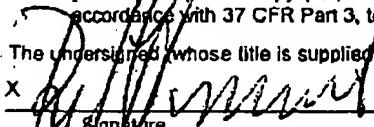
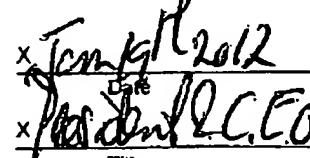
1. From: **John Leroy Silver (inventor)** To: **Webface, Inc.**The document was recorded in the United States Patent and Trademark Office at  
Reel **027247**, Frame **0263**, or for which a copy thereof is attached.2. From: **Webface, Inc.** To: **Bandwidth Technology Corp.**The document was recorded in the United States Patent and Trademark Office at  
Reel **027249**, Frame **0459**, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached. Additional documents in the chain of title are listed on a supplemental sheet(s). As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
**Roy L. Salomons**Signature  
Printed or Typed Name  
Date  
**Jan 23 2012**  
Title  
**PLS/PLC/EG**

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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